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Approved for use through 09/30/2000. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/686,945
		Filing Date	October 16, 2003
		First Named Inventor	Erik Karrer
		Group Art Unit	1644
		Examiner Name	
Total Number of Pages in This Submission	21	Attorney Docket Number	0241us320

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <ul style="list-style-type: none"><li>• Copy of Notice of Missing Parts (2 pp.);</li><li>• Copy of Form PTO-SB/08 (3 pp.) and Form PTO-892 (1 p.) from parent application USSN 09/704,469</li><li>• Postcard</li></ul>
<input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)		
<input checked="" type="checkbox"/> Extension of Time Request plus 1 copy		
<input type="checkbox"/> Express Abandonment Request		
<input checked="" type="checkbox"/> Information Disclosure Statement		
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<b>Authorization to Charge Deposit Account</b> Please charge Deposit Account No. 50-0990 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.		
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Joanne R. Petithory	Maxygen, Inc.	Reg. No. 42,995
Signature			
Date	Oct 26, 2004		

## Certificate of Mailing under 37 C.F.R. §1.8

I hereby certify that this is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria VA 22313-1450, Mail Stop: Missing Parts on this date:

Typed or Printed Name: Joanne R. Petithory

Date: Oct 27, 2004

Signature: Joanne R. Petithory

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<b>01 FEE TRANSMITTAL for FY 2005</b>		<b>Complete if Known</b>	
		Application Number	10/686,945
		Filing Date	October 16, 2003
		First Named Inventor	Erik Karrer
		Examiner Name	
		Art Unit	
<b>TOTAL AMOUNT OF PAYMENT</b>		(\$) <b>2164</b>	
		Attorney Docket No. <b>0241us320</b>	

**METHOD OF PAYMENT (check all that apply)**

Check  Credit card  Money Order  Other  None

**Deposit Account:**

Deposit Account Number

**50-0990**

Deposit Account Name

**Maxygen, Inc.**

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEES CALCULATION****1. BASIC FILING FEE**

Large Entity

Small Entity

Fee Code (\$)	Fee	Fee Code (\$)	Fee Description	Fee Paid
1001	790	2001	395	Utility filing fee
1002	350	2002	175	Design filing fee
1003	550	2003	275	Plant filing fee
1004	790	2004	395	Reissue filing fee
1005	160	2005	80	Provisional filing fee
<b>SUBTOTAL (1) (\$)</b>				<b>790</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Independent Claims	Extra Claims Fee from below	Fee Paid
		20 - 20** = 0	X 0 = 0
		6 - 3** = 3	X 88 = 264

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202	18	2202 9 Claims in excess of 20
1201	88	2201 44 Independent claims in excess of 3
1203	300	2203 150 Multiple dependent claim, if not paid
1204	88	2204 44 ** Reissue independent claims over original patent
1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) (\$)</b>		<b>264</b>

\*\*or number previously paid, if greater; For Reissues, see above

**3. ADDITIONAL FEES**

Large Entity

Small Entity

Fee Code (\$)	Fee	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051	65 Surcharge - late filing fee or oath	130
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130 Non-English specification	
1812	2,520	1812	2,520 For filing a request for ex parte reexamination	
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action	
1251	110	2251	55 Extension for reply within first month	
1252	430	2252	215 Extension for reply within second month	
1253	980	2253	490 Extension for reply within third month	980
1254	1,530	2254	765 Extension for reply within fourth month	
1255	2,080	2255	1,040 Extension for reply within fifth month	
1401	340	2401	170 Notice of Appeal	
1402	340	2402	170 Filing a brief in support of an appeal	
1403	300	2403	150 Request for oral hearing	
1451	1,510	1451	1,510 Petition to institute a public use proceeding	
1452	110	2452	55 Petition to revive - unavoidable	
1453	1,330	2453	665 Petition to revive - unintentional	
1501	1,370	2501	685 Utility issue fee (or reissue)	
1502	490	2502	245 Design issue fee	
1503	660	2503	330 Plant issue fee	
1460	130	1460	130 Petitions to the Commissioner	
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180 Submission of Information Disclosure Stmt	
8021	40	8021	40 Recording each patent assignment per property (times number of properties)	
1809	790	2809	395 Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395 For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395 Request for Continued Examination (RCE)	
1802	900	1802	900 Request for expedited examination of a design application	
Other fee (specify) _____				

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)****1110****SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)

Joanne R. Petithory

Registration No.

42,995

Telephone (650) 298-5300

Signature

*Joanne R. Petithory*

Date

10/26/04

**Certificate of Mailing under 37 C.F.R. §1.8**

I hereby certify that this is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria VA 22313-1450, Mail Stop: Missing Parts on the date below:

Typed or Printed Name: Joanne R. PetithoryDate: Oct 27, 2004Signature: Joanne R. Petithory



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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
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On Oct. 27, 2004

By Joanne R. Petithory  
Joanne R. Petithory

Attorney Docket No. 0241us320

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Erik Karrer, *et al.*

Application No: 10/686,945

Filed: October 16, 2003

For: Antibody Diversity Generation

Examiner: Unassigned

Art Unit: 1644

RESPONSE TO NOTICE  
OF MISSING PARTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Mail-Stop: Missing Parts

Sir:

In response to the "Notice to File Missing Parts of Nonprovisional Application" mailed from the Patent Office on June 1, 2004, enclosed are the following to be made of record in the above-identified application:

1. Transmittal Form;
2. Fee Transmittal Sheet;
3. Request for Extension of Time;
4. Preliminary Amendment;
5. Copy of Notice of Missing Parts;
6. Information Disclosure Statement, including a request to use reference copies previously submitted in parent application USSN 09/704,469;

Erik Karrer, et al.  
Application No: 10/686,945  
Page 2 of 2

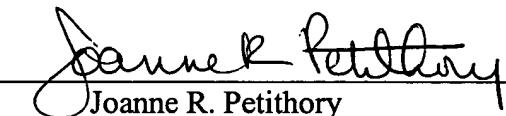
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7. Copies of Form PTO-SB/08 (3 pp.) and Form PTO-892 (1 p.) from parent application USSN 09/704,469; and
8. Return Acknowledgement Postcard.

Please charge a total of \$2164.00 (\$790.00 Filing Fee, \$264.00 Addtitional Claim fee, \$980.00 for 3-Month Extension of Time plus \$130.00 surcharge) to Deposit Account No: 50-0990. Please charge any additional fees, or credit any overpayment, to Deposit Account No. 50-0990.

Respectfully submitted,

October 26 2004

  
\_\_\_\_\_  
Joanne R. Petithory  
Reg. No. 42,995

MAXYGEN, INC.  
Patent Department  
515 Galveston Drive  
Redwood City, California 94063  
Telephone: (650) 298-5300  
Facsimile: (650) 298-5446

Customer No. 30560



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

[PW]

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/686,945	10/16/2003	Erik Karrer	0241us320

## CONFIRMATION NO. 4598

30560  
 MAXYGEN, INC.  
 INTELLECTUAL PROPERTY DEPARTMENT  
 515 GALVESTON DRIVE  
 RED WOOD CITY, CA 94063

## FORMALITIES LETTER



\*OC000000012817333\*

Date Mailed: 06/01/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$1934** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$2834** for a Large Entity

• \$770 Statutory basic filing fee.	11/02/2004 WASFAW1 00000063 500990 10686945
• \$130 Late oath or declaration Surcharge.	01 FC:1001 790.00 DA
	02 FC:1201 264.00 DA
	03 FC:1051 130.00 DA

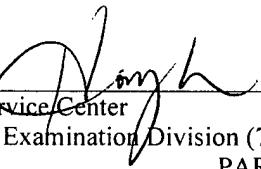
• Total additional claim fee(s) for this application is **\$1934**

- **\$258** for 3 independent claims over 3.
- **\$1386** for 77 total claims over 20.
- **\$290** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE